

Patent
Attorney's Docket No. 033297-116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

Bernard H. Andreas, et al.

Application No.: 10/033,689

Filed: December 28, 2001

For: DEVICE AND METHOD FOR
SUTURING TISSUE

Group Art Unit: Unassigned

Examiner: Unassigned

**INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

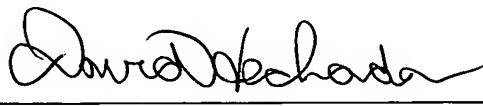
Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$_____ to Deposit Account No. 02-4800 for the fee due.
- ☒ A return postcard is enclosed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicant hereby submits the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, each of the documents is cited below.

U.S. PATENT DOCUMENTS

312,408A	Wacker Hagen	02/1885
659,422A	Shidler	10/1900
2,127,903A	Bowen	08/1938
2,397,823A	Walter	04/1946
2,646,045A	Priestley	07/1953
2,959,172A	Held	11/1960
3,104,666A	Hale et al.	09/1963
3,470,875A	Johnson	10/1969
3,653,388A	Tenckhoff	04/1972
3,665,926A	Flores	05/1972
3,776,237A	Hill et al.	12/1973
3,820,544A	Semm	06/1974

3,926,194A	Greenberg et al.	12/1975
3,939,820A	Grayzel	02/1976
4,018,228A	Goosen	04/1977
4,109,658A	Hughes	08/1978
4,161,951A	Scanlan, Jr.	07/1979
4,168,073A	LaRue	09/1979
4,182,339A	Hardy, Jr.	01/1980
4,216,776A	Downie et al.	08/1980
4,235,177A	Arbuckle	11/1980
4,317,445A	Robinson	03/1982
4,411,654A	Boarini et al.	10/1983
4,412,832A	King et al.	11/1983
4,437,465A	Nomoto et al.	03/1984
4,493,323A	Albright et al.	01/1985
4,553,543A	Amarasinghe	11/1985
4,587,969A	Gillis	05/1986
4,596,559A	Fleishhacker	06/1986
4,629,450A	Suzuki et al.	12/1986
4,651,733A	Mobin-Uddin	03/1987
4,723,549A	Wholey et al.	02/1988
4,738,666A	Fuqua	04/1988
4,744,364A	Kensey	05/1988
4,803,984A	Narayanan et al.	02/1989
4,836,205A	Barrett	06/1989
4,852,568A	Kensey	08/1989
4,890,612A	Kensey	01/1990
4,898,155A	Ovil et al.	02/1990
4,911,164A	Roth	03/1990
4,926,860A	Stice et al.	05/1990

4,929,246A	Sinofsky	05/1990
4,935,027A	Yoon	06/1990
4,957,498A	Caspari et al.	09/1990
4,983,168A	Moorehead	01/1991
4,984,581A	Stice	01/1991
5,002,563A	Pyka et al.	03/1991
5,009,643A	Reich et al.	04/1991
5,021,059A	Kensey et al.	06/1991
5,037,433A	Wilk et al.	08/1991
5,047,039A	Avant et al.	09/1991
5,059,201A	Asnis	10/1991
5,061,274A	Kensey	10/1991
5,078,721A	McKeating	01/1992
5,080,664A	Jain	01/1992
5,100,419A	Ehlers	03/1992
5,100,432A	Matsutani	03/1992
5,109,780A	Slouf et al.	05/1992
5,129,913A	Ruppert	07/1992
5,147,373A	Ferzli	09/1992
5,160,339A	Chen et al.	11/1992
5,171,251A	Bregen et al.	12/1992
5,192,294A	Blake, III	03/1993
5,192,302A	Kensey et al.	03/1993
5,219,358A	Bendel et al.	06/1993
5,222,974A	Kensey et al.	06/1993
5,234,443A	Phan et al.	08/1993
5,242,427A	Bilweis	09/1993
5,250,033A	Evans et al.	10/1993
5,250,053A	Snyder	10/1993

5,254,126A	Filipi et al.	10/1993
5,258,003A	Ciaglia et al.	11/1993
5,279,311A	Snyder	01/1994
5,285,945A	Brinkerhoff et al.	02/1994
5,289,963A	McGarry	03/1994
5,290,284A	Adair	03/1994
5,290,297A	Phillips	03/1994
5,292,309A	Van Tassel et al.	03/1994
5,292,332A	Lee	03/1994
5,293,881A	Green et al.	03/1994
5,295,993A	Green	03/1994
5,300,085A	Yock	04/1994
5,304,184A	Hathaway	04/1994
5,304,185A	Taylor	04/1994
5,306,254A	Nash et al.	04/1994
5,312,024A	Grant et al.	05/1994
5,320,632A	Heidmueller	06/1994
5,336,229A	Noda	08/1994
5,336,230A	Leichtling et al.	08/1994
5,336,231A	Adair	08/1994
5,342,369A	Harryman, II	08/1994
5,354,312A	Brinkerhoff et al.	10/1994
5,364,408A	Gordon	11/1994
5,368,601A	Saver et al.	11/1994
5,374,275A	Bradley et al.	12/1994
5,376,096A	Foster	12/1994
5,383,896A	Gershony et al.	01/1995
5,387,221A	Bisgaard	02/1995
5,387,227A	Grice	02/1995

5,395,332A	Ressemann et al.	03/1995
5,395,349A	Quiachon et al.	03/1995
5,397,325A	Della Badia et al.	03/1995
5,403,329A	Hinchcliffe	04/1995
5,403,338A	Milo	04/1995
5,411,481A	Allen et al.	05/1995
5,413,571A	Katsaros et al.	05/1995
5,425,705A	Evard et al.	06/1995
5,431,666A	Sauer et al.	07/1995
5,433,700A	Peters	07/1995
5,452,733A	Sterman et al.	09/1995
5,454,822A	Schöb et al.	10/1995
5,454,834A	Boebel et al.	10/1995
5,458,574A	Machold et al.	10/1995
5,470,338A	Whitfield et al.	11/1995
5,476,469A	Hathaway	12/1995
5,476,470A	Fitzgibbons, Jr.	12/1995
5,478,309A	Sweezer et al.	12/1995
5,478,353A	Yoon	12/1995
5,480,407A	Wan et al.	01/1996
5,486,190A	Green	01/1996
5,489,295A	Piplani et al.	02/1996
5,496,332A	Sierra et al.	03/1996
5,507,744A	Tay et al.	04/1996
5,507,755A	Gresl et al.	04/1996
5,507,757A	Sauer et al.	04/1996
5,507,758A	Thomason et al.	04/1996
5,509,902A	Raulerson	04/1996
5,520,655A	Davila et al.	05/1996

5,520,702A	Sauer et al.	05/1996
5,527,321A	Hinchliffe	06/1996
5,527,322A	Klein et al.	06/1996
D372,310S	Hartnett	07/1996
5,531,700A	Moore et al.	07/1996
5,540,701A	Sharkey et al.	07/1996
5,540,704A	Gordon et al.	07/1996
5,545,171A	Sharkey et al.	08/1996
5,545,178A	Kensey et al.	08/1996
5,545,180A	Le et al.	08/1996
5,549,618A	Fleenor et al.	08/1996
5,554,162A	DeLange	09/1996
5,562,686A	Sauer et al.	10/1996
5,562,688A	Riza	10/1996
5,562,728A	Lazarus et al.	10/1996
5,569,271A	Hoel	10/1996
5,573,540A	Yoon	11/1996
5,591,179A	Edelstein	01/1997
5,593,421A	Bauer	01/1997
5,603,718A	Xu	02/1997
5,611,794A	Sauer et al.	03/1997
5,613,974A	Andreas et al.	03/1997
5,613,975A	Christy	03/1997
5,643,289A	Sauer et al.	07/1997
5,669,917A	Sauer et al.	09/1997
5,700,273A	Buelna et al.	12/1997
5,713,910A	Gordon et al.	02/1998
5,716,369A	Riza	02/1998
5,720,757A	Hathaway et al.	02/1998

5,728,151A	Garrison et al.	03/1998
5,741,276A	Poloyko et al.	04/1998
5,741,280A	Fleenor	04/1998
5,759,188A	Yoon	06/1998
5,766,183A	Sauer	06/1998
5,766,186A	Faraz et al.	06/1998
5,779,719A	Klein et al.	07/1998
5,792,151A	Heck et al.	08/1998
5,799,661A	Boyd et al.	09/1998
5,810,850A	Hathaway et al.	09/1998
5,817,113A	Gifford, III et al.	10/1998
5,820,631A	Nobles	10/1998
5,824,010A	McDonald	10/1998
5,836,955A	Buelna et al.	11/1998
5,836,956A	Buelna et al.	11/1998
5,846,253A	Buelna et al.	12/1998
5,860,990A	Nobles et al.	01/1999
5,860,991A	Klein et al.	01/1999
5,902,311A	Andreas et al.	05/1999
5,904,697A	Gifford, III et al.	05/1999
5,951,590A	Goldfarb	09/1999
5,954,732A	Hart et al.	09/1999
6,036,699A	Andreas et al.	03/2000
6,048,351A	Gordon et al.	04/2000
6,117,144A	Nobles et al.	09/2000

FOREIGN PATENT DOCUMENTS

14210724C1	DE	07/1983
9217932	DE	07/1993

01407557A	EP	05/1985
207545A1	EP	01/1987
0 474 887A1	EP	03/1992
0 478 358A1	EP	04/1992
0 589 409A1	EP	09/1992
0 624 343A2	EP	04/1993
0 542 126A3	EP	05/1993
0 568 098A2	EP	11/1993
669103A1	EP	08/1995
568098B1	EP	10/1997
669102B1	EP	10/1998
669101B1	EP	09/1999
1059544	FR	07/1952
2119866A	JP	05/1990
405042161	JP	02/1993
1093 329A	RU	05/1984
1174 036A	RU	08/1985
820810	SU	06/1979
993922	SU	02/1983
1544383	SU	02/1990
1648400	SU	05/1991
94/27503	WO	06/1993
94/28801	WO	06/1993
95/05121	WO	08/1993
9405213	WO	03/1994
95/35065	WO	12/1995
97/03613	WO	02/1997
97/10764	WO	03/1997
97/13461	WO	04/1997

97/17901	WO	05/1997
97/20505	WO	06/1997
00/12013	WO	03/2000

NON PATENT LITERATURE DOCUMENTS

Elgin National Watch Company, Product Brochure entitled "Elgiloy®, A Cobalt Nickel Spring Alloy," 33 pages.

Faulkner, Catherine B., Letter regarding "VasoSeal Vascular Hemostasis," Datascope, New Jersey, 1 page only.

Laurus Medical Corporation, "Endoscopic Suturing Made Simple," The Laurus ND-2600 Needle Driver, Irvine, CA., 1 page.

Rema-Medizintechnik GmbH, Product Brochure entitled "REMA," 7 pages.

Sutura™, "A New Choice In Vascular Suturing," Let Sutura Show You-TCT Booth 846, Fountain Valley, CA.; www.suturainc.com., 1 page only.

Datascope Corporation, Montvale, NJ (1991) 1 PG, American Heart Assoc. Meeting, Anaheim.

Kensey Nash Corporation, Exton, PA, "The Hemostatic Puncture Closure Device", 2 pages.

Cardiac Catheterization and Angiography, 3rd Ed., Lea Nad Febiger, Philadelphia, 1986.
Elgiloy Brochure, Jun. 23, 1959, Elgin National Watch Co., Elgin, IL.

Product Brochure "The Prove Solution to Endoscopic Suturing", Larus Medical Corp., Irvine, CA 10/94.

Elgiloy Brochure, Jun. 23, 1959, Elgin National Watch Co., Elgin, IL.

Product Brochure "The Proven Solution to Endoscopic Suturing", Laurus Medical Corp., Irvine, CA 10/94.

Cardio-Thoracic Systems Prospectus dated Mar. 20, 1996.


The documents are being submitted within 3 months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later, therefore no fee or statement is required under 37 C.F.R. § 1.97(b).

Copies of the listed documents were previously submitted in prior application Serial No. 08/883,246, filed June 26, 1997, now U.S. Patent No. 6,355,050B1 (enclosed) upon which Applicant rely for the benefits provided in 35 U.S.C. § 120. In accordance with 37 C.F.R. § 1.98(d), copies of the listed documents are not included.

To assist the Examiner, the documents listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

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